THE HON'BLE SRI. JUSTICE GODA RAGHURAM

W.P.No. 7179 of 2006

13-04-2006

Between:-

Yelavarthi Srinivas Rao

Petitioner

And

The Deputy Commissioner, Endowments Department, Guntur and two others.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 7179 of 2006

Oral order:

The writ petition is misconceived. The petitioner is the legal representative of one Y. Gnana Prakash Rao, who is claimed to have been a trustee of Sri Koganti Ramaswamy Trust and Pulichintalapalem Agraharam Tank Trust, Kuchipudi, Amrathulur mandal, Guntur district. The 3rd respondent-Trust filed O.A.No. 41 of 2001 against the petitioner's father, during his life time, seeking handing over of all the records of the Trust. During the pendency of the O.A.No. 41 of 2001, the petitioner's father died and subsequently the petitioner and other family members have been impleaded as party respondents to the proceedings. They filed a counter affidavit denying the allegations.

Evidence on behalf of the 3rd respondent was stated to be closed and the O.A. was coming up for the respondent's evidence.

According to the petitioner, they made several oral representations to recall P.W.1 for cross-examination, but without any favourable response. They there up filed an application under Section 151 of the Code of Civil Procedure by way of I.A.No.16 of

2006 seeking recall of P.W.1 for cross-examination. This application was dismissed without assigning valid reasons, is the allegation. Aggrieved thereby the petitioner filed a revision to the 2nd respondent on 01-04-2006. The complaint in this writ petition is that the revision dated 01-04-2006 has not yet been disposed of.

In the considered view of this court, no case is made out for grant of relief. The petitioner filed the revision on 01-04-2006 and has filed this writ petition barely nine (9) days thereafter complaining that the revision has not yet been taken up for consideration. The writ petition is premature and is, therefore, dismissed. The 2nd respondent shall consider expeditious adjudication of the revision filed by the petitioner on 01-04-2006. No costs.

_____

GODA RAGHURAM, J

Dated:13-04-2006

Pvks/*